

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

)
)
) 03 MDL No. 1570 (RCC)
ECF Case

This document relates to:

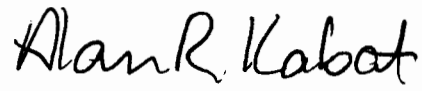
ASHTON, *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*, Case No. 02-CV-6977;
BURNETT, *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*, Case No.
03-CV-5738;
CONTINENTAL CASUALTY CO., *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*, Case No. 04-
CV-05970;
EURO BROKERS, INC., *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et*
al., Case No. 04-CV-07279;
FEDERAL INSURANCE CO., *et al.* v. AL QAIDA, *et al.*, Case No. 03-CV-6978;
NEW YORK MARINE AND GENERAL INSURANCE CO. v. AL QAIDA, *et al.*, Case No. 04-CV-
6105; and
WORLD TRADE CENTER PROPERTIES LLC, *et al.* v. AL BARAKA INVESTMENT AND
DEVELOPMENT CORP., *et al.*, Case No. 04-CV-07280.

**DECLARATION OF ALAN R. KABAT IN SUPPORT OF
DEFENDANT DR. ABDULLAH BIN ABDUL MOHSEN AL-TURKI'S
CONSOLIDATED MOTION TO DISMISS**

I am an attorney licensed to practice in the District of Columbia and am admitted *pro hac vice* in this matter. I am with the law firm of Bernabei & Katz PLLC, counsel to Dr. Abdullah Bin Abdul Mohsen Al-Turki. I submit this declaration to transmit to the Court the following documents submitted in support of Dr. Al-Turki's Consolidated Motion to Dismiss:

1. Exhibit 1 to Dr. Al-Turki's motion to dismiss is a copy of the Declaration of Dr. Abdullah Bin Abdul Mohsen Al-Turki (March 31, 2004), and authenticated translation, with the Declaration of Bassim Alim (April 4, 2004) thereto.
2. Exhibit 2 to Dr. Al-Turki's motion to dismiss is a copy of the Declaration of Abdulaziz H. Al Fahad (April 6, 2003).

I declare under the penalties of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on September 3, 2005.

Handwritten signature of Alan R. Kabat in black ink.

ALAN R. KABAT

Exhibit 1

Dr. Abdullah Bin Abdul Mohsen Al-Turki's
Consolidated Motion to Dismiss

03 MDL No. 1570 (RCC)

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03 MDL No. 1570 (RCC)

THOMAS E. BURNETT, SR., *et al.*,

Plaintiffs,

 \mathbf{y}_i

C.A. No. 03 CV 9849 (RCC)

AL BARAKA INVESTMENT AND DEVELOPMENT
CORPORATION, *et al.*,

Defendants.

DECLARATION OF BASSIM ALIM

I, Bassim Alim, being duly sworn, declare and state as follows:

1. I am over 18 years of age and competent to testify to the matters set forth below of my own personal knowledge.

3. I reside in Jeddah, Saudi Arabia, and I am the Managing Partner in the Law Office of Bassim A. Alim, Esq. located at Wali Al-Ahd Street Abeer Building, Suite No. 17, P.O. Box 10361 Jeddah 21433, Saudi Arabia, Phone: +966 2 651 3321, Fax: +966 2 651 0846. The firm is a diversified practice representing a number of Saudi and foreign individuals and institutions in International Trade, Commercial Law, International Transactions, Project Finance, Negotiation, Company Law, Islamic Banking, Islamic Finance, Equipment Leasing, Construction Contracts, Government Consultations, Real Estate, and Aviation.

4. I am an attorney licensed in Saudi Arabia and have been retained by counsel for Dr. Abdullah bin Abdul Mohsen Al-Turki, Mr. Mohammed Ali Mushayt, Sheikh Hamad Al-Husaini, Sheikh Safer Al-Hawali, and Sheikh Salman Al-Oadah in the above-styled case for the purpose of verifying English translations of their Arabic-language affidavits in connection with

their respective motions to dismiss the lawsuit.


5. My educational qualifications can be summarized as follows: I received an LLM degree in 1993 from Harvard Law School, Cambridge, MA; a JD degree in 1992 from American University, Washington College of Law, Washington, D.C.; and a BA degree in 1988 from American University, School of International Service, Washington, D.C. In addition, I hold Saudi Arabian Legal Profession Practice License # 98/23 and Saudi Arabian Legal Translation License # 235.

6. I am a member of a number of law organizations, including the Arab Bar Association (ABA); the International Bar Association (IBA); the Legal Committee of the Saudi Chamber of Commerce Jeddah (Previously); Vice Chairman of the Legal Committee of the Makkah Chamber of Commerce (Previously); the National Legal Committee of the NCCI (Previously); the Arab Society for the Protection of Intellectual Property; Licensing Executives Society--Arab Countries; and Union Internationale Des Avocats (UIA) - International Association of Lawyers. In addition, I was a Fellow Associate Researcher at The Oxford Center for Islamic Studies, Oxford University, 1994-1996.

7. I have reviewed the originals and the English translations of the declarations to be filed in this case on behalf of Dr. Abdullah bin Abdul Mohsen Al-Turki, Sheikh Hamad Al-Husaini, Mr. Mohamed Ali Mushayt, Sheikh Salman Al-Oadah, and Sheikh Safer Al-Hawali. Based on the qualifications set forth in Paragraphs 5-6, *supra*, I attest that the English translations are true and accurate translations of the original Arabic documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.




Bassim Alim

Executed on the 3 day of April, 2004.



محكمة مقاطعة الولايات المتحدة - المقاطعة الجنوبية لنيويورك

في قضية الهجمات الإرهابية
يوم ١١ سبتمبر ٢٠٠١ م
03 MDL No. 1570 (RCC)
دعوى توماس اي. بيرنيت وآخرون
(المدعون)
ضد
C.A. No. 03 CV 9849 (RCC)
مجموعة البركة للاستثمار والتطوير
وآخرين
(المدعى عليهم)

إفادة عبد الله بن عبد المحسن التركي

أنا د. عبد الله بن عبد المحسن التركي ، أعلن وأقرر ما يلي تحت اليمين :

١- عمري أكثر من ١٨ سنة ، وأنا مؤهل للإدلاء بشهادتي حول الوقائع الموصوفة في هذا الإقرار حسب علمي الشخصي.

٢- إنني أقدم هذا الإعلان دعماً لطلب إسقاط الدعوى التي أفاد محامي أن رقمها (D158) أعلاه وذلك بسبب (١) الحصانة الدبلوماسية (٢) عدم اختصاص القضاء (٣) النقص في إجراءات تبليغ الدعوى.

٣- ولدت في عام ١٩٤٠م في حرمة بالمملكة العربية السعودية ، وعشت طيلة حياتي في المملكة. وكنت دائماً مواطناً من مواطني المملكة العربية السعودية.



- ٢ -

٤- حصلت على درجة الليسانس في الشريعة الإسلامية في عام ١٩٦٣م من كلية الشريعة بالرياض ، وحصلت على درجة الماجستير في عام ١٩٦٩م من المعهد العالي للقضاء ، وحصلت على درجة الدكتوراه في أصول الفقه في عام ١٩٧٣م من جامعة الأزهر بمصر.

٥- بين عامي ١٩٧٥م و ١٩٩٣م كنت مديرا لجامعة الإمام محمد بن سعود الإسلامية في الرياض.

٦- في عام ١٩٩٢م عينت بموجب الأمر الملكي رقم ٦٣٩٦/٢ عضوا في هيئة كبار العلماء ، والتي تأسست بالمرسوم الملكي رقم ١/١٣٧ في عام ١٩٧١م ، ووظيفتها دراسة ما يجد من مشكلات إجتماعية ، وبيان الحكم الشرعي فيها على ضوء الشريعة الإسلامية ، حيث يؤخذ ذلك في الاعتبار في المملكة على مستوى الشعب والسلطات الحكومية ، وحيث أن الإسلام هو ما تدين به المملكة العربية السعودية ، والنظام القضائي مبني على الشريعة الإسلامية ، فإن الهيئة حكومية مركزية. هذا ولازلت عضوا في هيئة كبار العلماء إلى الآن. وحتى أقوم بمهامي في هيئة كبار العلماء ، فإنه من الضروري أن أظل على إطلاع على القضايا الإسلامية ومشاركة فيها.

٧- في عام ١٩٩٣م عينت من قبل الملك فهد بن عبد العزيز آل سعود وزيرا للشؤون الإسلامية والأوقاف والدعوة والإرشاد ، حيث كنت في ذاك المنصب مسؤولا عن الشؤون الحكومية ذات الصلة بالقضايا الإسلامية ، ومسؤوليات الوزارة بناء وصيانة المساجد في أنحاء المملكة ، وإدارة الأوقاف الإسلامية. لقد كان منصبي منصبا حكوميا مركزيا ، على اعتبار أن الإسلام هو دين المملكة العربية السعودية. وأحضر وأشارك في المؤتمرات والاجتماعات



ذات الصلة بمسؤولياتي الحكومية ممثلاً للحكومة. وقد بقيت في منصب الوزير حتى عام ١٩٩٩م.

٨- وبصفتي وزيراً للشؤون الإسلامية عملت كواحد من ثمانية أعضاء بالمجلس الأعلى للشؤون الإسلامية، وهو مجلس أنشئ بالأمر الملكي رقم ٨/٢٩٦ في عام ١٩٩٤م، ومن مسؤوليات المجلس ما يتعلق بالجهود الإسلامية للمملكة في خارجها. وكنت كذلك رئيساً لمجلس الدعوة، وهو مسؤول عن شؤون الدعوة ضمن المملكة. ويرفع المجلسان توصياتهما اللتان يربانهما إلى الملك فهد ونوابه، وهي توصيات تغدو قرارات بعد الموافقة عليها.

٩- في عام ١٩٩٥م عينت للعمل كواحد من اثنين وعشرين عضواً بمجلس الوزراء السعودي، والذي يرأسه الملك فهد ونوابه. ومجلس الوزراء السعودي هو أعلى هيئة صاحبة قرار في الحكومة السعودية. وقد عملت بالمجلس حتى عام ١٩٩٩م، وبعد هذا التاريخ عينت مستشاراً في الديوان الملكي إلى عام ٢٠٠٠م.

١٠- من عام ٢٠٠٠م وحتى الآن أعمل أميناً عاماً لرابطة العالم الإسلامي، وهي هيئة إسلامية عالمية شعبية مقر أمانتها في مكة بالمملكة العربية السعودية.

١١- لقد زرت الولايات المتحدة الأمريكية في عدة مناسبات، وكان آخرها في يونيو ٢٠٠٢م. لقد قمت بزيارة عمل بدعوة من جامعة كاليفورنيا في لوس أنجلوس في عام ١٩٧٩م بصفتي مديراً لجامعة الإمام محمد بن سعود الإسلامية. وفي عام ١٩٩٨م دعيت بصفتي وزيراً للشؤون الإسلامية لحضور افتتاح مسجد الملك فهد في لوس أنجلوس بولاية كاليفورنيا. وفي يونيو ٢٠٠٢م قمت وبصفتي أميناً عاماً لرابطة العالم الإسلامي مع وفد من شخصيات إسلامية بزيارة رسمية لنيويورك وشيكاغو وواشنطن العاصمة ولوس أنجلوس.



- ٤ -

١٢- لا أملك عقارات في الولايات المتحدة الأمريكية ، وليست لي كذلك حسابات مصرفية أو استثمارات في الولايات المتحدة. ولا أتعامل مع أية جهات تجارية في الولايات المتحدة.

١٣- لا أشارك أو أقرأ أيا من جريدة (الهيرالد تريبيون العالمية) أو جريدة القدس العربي ، والأخيرة حسب علمي ممنوعة في المملكة العربية السعودية.

١٤- لم أساند أبدا فقدان الأرواح البريئة ، وأعتقد أنه ليس هنالك أي مسوِّغ لهجمات ١١ سبتمبر ٢٠٠١م المأساوية ، وأنها أعمال إجرامية محرمة في الإسلام وبقية الأديان والقوانين. ولم أساند أي شخص أو منظمة أعلم أنها تشارك في الأنشطة الإرهابية. وبعد حدوث هجمات ١١ سبتمبر أصدرت بصفتي أمينا للرابطة بيانا يدين الهجمات ، وفي الذكرى الثانية للهجمات ، أصدرت أيضا بيانا مترجما للغة الإنجليزية يدين الإرهاب ويقدم التعازي لأسر هجمات ١١ سبتمبر المأساوية. وكتبت في البيان أنني "أدعو الدول والشعوب والمنظمات المحبة للسلام أن تدرس وبعناية كيف يسعى الشرع الإسلامي لحماية بني الإنسان ضد كافة أنواع الشر". وأشارت في البيان إلى الآيات القرآنية التي تدين القتل. أنظر "بيان إدانة الإرهاب" سبتمبر ٢٠٠٣م ، والمرفق ههنا تحت رقم (١). كما أصدرت بيانا مطولا مترجما أيضا للغة الإنجليزية أعربت فيه عن "إدانتني الشديدة لكافة الأعمال الإرهابية ، وبينت فيه أن من ارتكبوها قد اقترفوا إثما عظيما حرّمه الإسلام. أنظر "الذكرى الثانية لأحداث سبتمبر" ٨ سبتمبر ٢٠٠٣م والمرفق ههنا تحت رقم (٢).

١٥- إن التعديل الثالث للدعوى في هذه القضية يتضمن مزاعم عني غير صحيحة حيث الفقرة رقم ٣٨٣ تصف بإيجاز مناصبي الحكومية والتي تم تبليانها بتفصيل أكثر وأصح أعلاه.

عبدالله

- ٥ -

١٦- في الفقرات ذات الأرقام ٣٨٤ و ٣٨٦ و ٣٨٨-٣٩٠ و ٥٣٦-٥٣٧ و ٥٣٩-٩٤١ ذكر أنه كانت لي بعض الارتباطات مع المدعو "الزويدي". وأؤكد أنه ليس لي أي ارتباط أبدا بالسيد الزويدي. لقد حاول هو أن أستثمر معه. إلا أنني لم أستجب ولم أقم بأية استثمارات مع السيد الزويدي، على الرغم من أنه استجدي ذلك من مساعدي ومني عن طريق إرسال مقترحاته ومسودات عقود معه. ولم أوقع معه أي عقد، وقد أرسل ذات مرة صورة عن شيك ادّعى أنه سيودعه في جهة أمنة، بحيث يكون ضمانا مقابل الاستثمار الذي أراد أن يقوم به في عمله. غير أنني لم أستلم أبدا أو أستخدم الشيك المذكور ولا غيره، وبالإمكان مراجعة تحويلاته والبنك الذي أشار إليه، للتأكد من أن شيئا من ذلك لم يحصل، كما أنني لم أصبح مستثمرا أو مالكا في الشركة الإسبانية المسماة "المشاريع والترويج" أو أية شركة أو عمل آخر يملكه السيد الزويدي، وبالإمكان مراجعة سجلاته الرسمية في إسبانيا.

١٧- في الفقرة ٣٨٥ من التعديل الثالث للدعوى ورد أنني نظمت في يناير ٢٠٠٢م مؤتمرا للعلماء أعلن فيه أن الإرهاب لا يساوي الجهاد، وأباح الحق في القتال "ضد المحتلين وضد من ينكسون عن التزاماتهم أو يمنعون المسلمين من الدعوة بصورة سلمية". ولعل المقصود بذلك مؤتمر مجمع الفقه الإسلامي، وهو مجلس مستقل للعلماء من أنحاء العالم الإسلامي، ويعقد اجتماعات دورية، ورئيس المجلس هو مفتي عام المملكة العربية السعودية، وحضوري لهذا المجلس هو بصفتي أمينا عاما لرابطة العالم الإسلامي. ويناقد أعضاء المجلس مواضيع شتى. وللمجمع شخصيته المعنوية، وليس بالضرورة موافقة أي مشارك فيه لكل ما يصدر عنه، وأنا أدین الإرهاب أيا كان مصدره وشكله.

١٨- في الفقرة ٣٩١ من التعديل الثالث للدعوى، ذكر أن الأمير تركي


عبد

- ٦ -

قد كان رئيسا للاستخبارات ، وهي الجهة التي تشاركت معها في المعلومات حينما كنت وزيرا. كما أن الفقرة ٣٩١ تذكر بعد ذلك عدة "أهداف" و "تفسيرات" تعزوها للقاعدة. وأؤكد بأنه لا علم لي بأية أهداف وتفسيرات للقرآن من جانب القاعدة. كما أنني لا أعلم عن أية صلة بين تلك الأهداف والتفسيرات من جهة وبين خدمتي في مجلس الوزراء. وأؤكد بأنه ليست لي أية معرفة بأية نشاطات للقاعدة كانت نشاطات إرهابية ، ولأنني ساندت الإرهاب .

١٩- ما ورد في الفقرة ٤٢٦ من تكوين لجنة في عام ١٩٩٥م مشتركة للدراسات الإسلامية من عدد من الهيئات ، لا أذكر شيئا عن تلك اللجنة وأنشطتها ، أو أن مندوبين للرابطة حضروا ندوات لها ، مع العلم بأن مجالات عمل وزارة الشؤون الإسلامية التي كنت أعمل فيها عام ١٩٩٥م ، والرابطة التي أعمل فيها حاليا ، مجالات واسعة ، ومسؤولوها متعددون ، مما يصعب معه الإحاطة بكل عمل أو مشاركة لأي تابع لهما. وأنا أؤكد عدم علمي بأي عمل له علاقة بالإرهاب أو التدخل في الشؤون الداخلية للدول وأنكر ذلك كله ، وأؤكد في مختلف المناسبات على ضرورة احترام قوانين الدول حين التعامل معها.

١٩- لا أتمكن من قراءة أو كتابة أو التحدث باللغة الإنجليزية. وأعلم أن هذا الإقرار ستنتم ترجمته للغة الإنجليزية لأغراض القضية. وأقر تحت طائلة عقوبة الحنث باليمين بأن ما ذكر أعلاه حقيقي وصحيح.

الإسم : د. عبد الله بن عبد المحسن التركي


جرى التوقيع في هذا اليوم الأربعاء وتاريخ ٢٠٠٤/٣/٣١م

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03 MDL No. 1570 (RCC)

THOMAS E. BURNETT, SR., *et al.*,

Plaintiffs,

v.

C.A. No. 03 CV 9849 (RCC)

AL BARAKA INVESTMENT AND DEVELOPMENT
CORPORATION, *et al.*,

Defendants.

DECLARATION OF ABDULLAH BIN ABDUL MOHSEN AL-TURKI

I, Dr. Abdullah bin Abdul Mohsen Al-Turki, being duly sworn, declare and state as follows:

1. I am over 18 years of age and competent to testify to the matters set forth below of my own personal knowledge.
2. Referring to (D158), I am submitting this declaration in support of my Motion to Dismiss for (1) sovereign immunity, (2) lack of personal jurisdiction, and (3) improper service of process.
3. I was born in 1940, in Harmah, Saudi Arabia, and have lived in Saudi Arabia all of my life. I have always been a citizen of the Kingdom of Saudi Arabia.
4. I earned a B.A. degree in Islamic Law in 1963 from the College of Islamic Law, Riyadh. I earned a M.A. degree in 1969 from the Higher Institute for Judges, Riyadh. I earned a Ph.D. degree in Fundamentals of Islamic Jurisprudence in 1973 from the Al-Azhar University,

Cairo, Egypt.

5. From 1975 to 1993, I was the Rector of the Iman Muhammad Ibn Saud Islamic University, Saudi Arabia.

6. In 1992, I was appointed by Royal Decree No. 2/6396 as a member of the Council of Ulema (Senior Council of Scholars). The Council of Ulema was founded by Royal Decree No. 137/1 in 1971. The Council's function is to look into fresh social issues and to provide religious judgments as prescribed by the Islamic law, and those judgments are upheld by both the people and government, since Islam is the official religion of the Kingdom of Saudi Arabia, and the judicial system is based on that law. The Council is therefore a central governmental body. I remain a member of the Council of Ulema to the present day. In order to perform my duties on the Council of Ulema, it is necessary for me to remain active and current with Islamic issues.

7. In 1993, I was appointed by King Fahd bin Abdulaziz Al Saud to serve as the Minister of Islamic Affairs and Waqf, Call and Guidance. In that position, I was responsible for governmental matters relating to Islamic issues. The Ministry's responsibilities include the building and maintenance of mosques throughout the Kingdom, and the administration of property held in religious trust. My position was a central governmental function, since Islam is the official religion of the Kingdom of Saudi Arabia. I served as Minister through 1999.

8. As Minister of Islamic Affairs, I served as one of eight members of the Supreme Council for Islamic Affairs, established by Royal Decree No. 296/8 (1994). The Supreme Council has responsibility for Saudi Arabia's foreign policy with respect to international Islamic issues. I also served as chairman of the Call Council, which has responsibility for the Islamic call affairs within Saudi Arabia. These two councils make discretionary recommendations to

King Fahd and his deputies, which upon approval become governmental decisions.

9. In 1995, King Fahd appointed me to serve as one of twenty-two (22) members of the Saudi Council of Ministers, which is headed by King Fahd and his deputies. The Saudi Council of Ministers is the highest decision-making body in the Saudi government. I served on the Saudi Council of Ministers through 1999. After that date, I was appointed to the position of Advisor at the Royal Court.

10. From 2000 to the present, I currently serve as the Secretary-General of the Muslim World League, an international Islamic non-governmental organization, the secretariat-general of which is based in Makkah, Saudi Arabia.

11. I have visited the United States on several, with my last visit being in June 2002. I made a work-related visit at the invitation of the University of California, Los Angeles in 1979, in my capacity as Rector of the Imam Muhammad Ibn Saud Islamic University. In 1998, I was invited, in my capacity as Minister of Islamic Affairs, to attend the opening of the King Fahd Mosque in Los Angeles, California. In June 2002, I made a visit in my capacity as Secretary-General of the Muslim World League, and in which I was accompanied by a delegation of prominent muslim figures. We visited New York, Chicago, Los Angeles, and Washington, D.C.

12. I own no real property in the United States. I also have no bank accounts, and have no investments in the United States. I do not conduct any personal business with any businesses in the United States.

13. I do not subscribe to or read either the *International Herald Tribune* or the *Al Quds al Arabi*. The latter publication, to my knowledge, is banned in the Kingdom of Saudi Arabia.

14. I have never supported the loss of innocent life and believe that there is no justification for the tragic attacks of September 11, 2001, which I consider to be criminal acts of terror which are prohibited in the Islamic and other faiths and norms. I have never supported any person or organization that I have known to participate in terrorist activities. Immediately after the September attacks, and in my capacity as Secretary General of the Muslim World League, I published a statement condemning the attacks. On the second anniversary of the attacks, I published a statement, translated into English, which condemned terrorism and expressed my condolences to the families of the victims "for the tragic attacks of September 11." I wrote that "I have reaffirmed my appeal to peace loving nations, peoples and organizations to carefully study how Islamic Law endeavors to protect mankind against all kinds of evil . . ." I also quoted the Holy Quran's text which condemns murder. *See* A. Al-Turki, "Statement Condemning Terrorism" (Sept. 11, 2003) (attached hereto as Exhibit 1). I issued a longer statement, also translated into English, which expressed my "strong condemnation of all terrorist acts, and made it clear that those who carried out the attacks have committed a cardinal sin, which is prohibited by Islam." *See* A. Al-Turki, "The 2nd Anniversary of the September Events" (Sept. 8, 2003) (attached hereto as Exhibit 2).

15. The Third Amended Complaint in this case makes several errors. Paragraph 383 briefly describes several of my governmental positions, as set forth in further detail above.

16. In Paragraphs 384, 386, 388-390, 536-537, and 539-541, it is stated that I had some involvements with the "Zouaydi." I affirm that I had no involvement whatsoever with the above-named individual. He attempted to solicit investments from me, to which I did not respond, nor did I make any investment deals with Mr. "Zouaydi", even though he solicited my assistant and me by sending his proposals and draft contracts. I signed no contracts with him. .

Once he even sent us a copy of a check, which he averred would be deposited in a secure location, and held for me as a guarantee against the investment that he wanted me to make in his business. However, I never received the actual check, nor did I make any use of it. His bank transactions can evidence no such dealing took place. I never became an investor or owner in the Spanish company "Proyectos y Promociones," or any other business of Mr. Zouaydi. Again, records of Mr. "Zouyadi" in Spain can evidence to that.

17. In Paragraph 385 of the Third Amended Complaint, it states that I "organized in January 2002 a conference of scholars who stated that terrorism is not equal to Jihad and defined a right to struggle 'against occupiers ... and those who renege on their commitments or prevent Muslims from peacefully preaching.'" I believe that plaintiffs are referring to the conference of the Council of Islamic Jurisprudence, which is an independent council of scholars from all over the Islamic world. The Council holds regular meetings, and its president is the Grand Mufti of Saudi Arabia. My attendance at this Council was in my capacity as the Secretary-General of the Muslim World League. There were many different subjects discussed by the numerous participants at the meetings of the Council which enjoys its own juristic personality. Participants in the Council meetings are not supposed to agree to each and every proposed opinion. I do condemn any and all sorts of terrorism. .

18. In Paragraph 391 of the Third Amended Complaint, it is stated that "Prince Turki served in the same cabinet as Chief of Intelligence, which shared information with [me]" during my service as a Minister. Paragraph 391 then states various "goals" and "interpretations" ascribed to Al Qaeda. I had no knowledge of any of Al Qaeda's goals or interpretations of the Quran. Further, I do not know of any connection between those goals and interpretations, on the one hand, and my service at the Council of Ministers. I affirm I had no knowledge of any

activities of Al Qaeda that were terrorist activities, nor did I support terrorism.

19. In Paragraph 426, it is stated that I “settled in 1995 a Joint committee for Islamic Action and Studies”. I can recall nothing about such a committee or activities, nor that representatives from the Muslim World League did attend any seminars therein, taking into consideration that the scope of work of the ministry where I served in 1995 was widely diversified. The same applies to the Muslim World League where I presently serve. Both organizations are heavily staffed, so that it would be impossible for any individual to have knowledge of all activities being undertaken. However, I affirm I had no knowledge of any terrorist activities, nor of any interference in the affairs of other nations. At all occasions, I ordered that the laws of those nations be observed and respected.

20. I cannot read, write, or speak English. I understand that this declaration will be translated into English for purposes of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Dr. Abdullah bin Abdul Mohsen Al-Turki

Executed on this 31st day of March 2004

Attachment 1 to Al-Turki Declaration

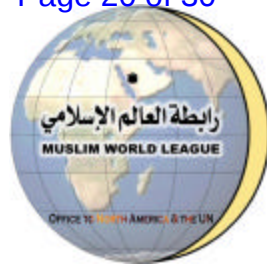
Dr. Abdullah Bin Abdul Mohsen Al-Turki's
Motion to Dismiss the Third Amended Complaint

03 MDL No. 1570 (RCC) / C.A. No. 03-CV-9849 (RCC)



Statement Condemning Terrorism

Commemorating the
Second Anniversary of the
September 11th Tragedy



H.E. Dr. Abdullah A. Al-Turki
Secretary-General, Muslim World League

“On this solemn day, we at the Muslim World League would like to once again express our condolences for the tragic attacks of September 11 in Washington, New York and Pennsylvania.

“The Muslim World League is striving to combat all evils and to create harmony among mankind through the principles of justice, charity and tolerance.

“The Muslim World League has convened and participated in a number of conferences and symposia to promote tolerance and to appeal for an all-out war against terrorism.

“I have reaffirmed my appeal to peace loving nations, peoples and organizations to carefully study how Islamic Law endeavors to protect mankind against all kinds of evil and express the Muslim World League’s readiness to contribute to any effort that aims at realizing security and peace for mankind.”

As stated in the Holy Qur’an,

On that account: We ordained for the Children of Israel that if anyone slew a person--unless it be for murder or for spreading mischief in the land--it would be as if he slew the whole people: and if any one saved a life, it would be as if he saved the life of the whole people.

(Chapter 5: Verse 32)

The Muslim World League is a charitable NGO formed in 1961 to address tolerance, communication, cooperation and the establishment of justice among all people of all faiths. Through its offices and subsidiaries around the world, the MWL is dedicated to furthering humanitarian endeavors aimed at improving lives of those in need around the globe.

FOR MORE INFORMATION, PLEASE CONTACT:
MUSLIM WORLD LEAGUE

P.O. Box 537 ? Makkah, Saudi Arabia
011 966 2 5600919 ? 011 966 2 5601319, Fax
info@muslimworldleague.org

Attachment 2 to Al-Turki Declaration

Dr. Abdullah Bin Abdul Mohsen Al-Turki's
Motion to Dismiss the Third Amended Complaint

03 MDL No. 1570 (RCC) / C.A. No. 03-CV-9849 (RCC)

The 2nd Anniversary of the September events

The Muslim World league Once Again Condemns Terrorism and Reveals its own efforts in combating it

In a statement marking the second anniversary of September 11th 2001 terrorist attack that took place in the United States of America, His Excellency Dr. Abdullah bin Abdul Mohsin Al-Turki, Secretary General of the Muslim World league reiterated the League's strong condemnation of all terrorist acts, and made it clear that those who carried out the attacks have committed a cardinal sin, which is prohibited by Islam. God says: {Nor take life – which God Has made sacred- except for a just cause} 17/33

Dr. Al-Turki said further that the Muslim World league, which is a non governmental organization, is striving to combat all evils and to create harmony among mankind through the principles of justice, charity and tolerance, in conformity with God's saying: {God commands justice, the doing of good and liberality to kith and kin, and He forbids all shameful deeds, and injustice and rebellion. He instructs you that ye may receive admonition.} 16/90

Moreover, Dr. Al-Turki pointed out that the League's uncompromising attitude towards terrorism is everybody's secret. Because, since its inception in 1961, it has worked within the framework of a global Islamic charter, which advocates tolerance, communication, cooperation and establishment of justice between the various peoples. Through its various councils and conferences, as well as its cooperation with the various governments and international institutions, the League demonstrated early apathy, condemnation and readiness to combat terrorism. In 1987, the League was among the participants of the 5th Islamic Summit Conference which was held in Kuwait, and which, in the presence of the then UN Secretary General Javier Perez De Quellar, categorically condemned all forms of international terrorism, and which, while proclaiming that Muslims are

ever ready to cooperate with the international community to eradicate terrorism, called upon governments and international institutions to convene a conference under the auspices of the UN for the sole purpose of drawing a definition of international terrorism.

The League was also present at the 7th Islamic Summit Conference, which was held in Casablanca, Morocco in 1995, and which, among other things, condemned all forms of terrorism.

According to Dr. Al-Turki, the League has convened and participated in a number of conferences and symposia to promote tolerance and to appeal for an all out war against terrorism. In fact, terrorism is one of the most obnoxious types of mischief in the land and deserves severe punishment, if the inviolability of the human being is to be safeguarded and his rights protected, Dr. Al-Turki said. God says: {The punishment of those who wage war against God and His Apostle, and strive with might and main for mischief through the land is: execution, or crucifixion, or the cutting off of hands and feet from opposite sides, or exile from the land: That is their disgrace in this world, and a heavy punishment is theirs in the hereafter.} 5/33

Dr. Al-Turki enumerated the most prominent conferences and symposia during which the League made it clear that Islam prohibits murder and combats terrorism as follows:

- 1- Symposium on the image of Islam in the Western Media – 2001
- 2- 16th Session of the League's Islamic Fiqh Council 2001
- 3- 2nd Makkah Al-Mukarramah Conference 2001
- 4- 4th General Islamic Conference 2002
- 5- 37th Session of the Constituent Council of the league 2002
- 6- 3rd Makkah Al-Mukarramah conference 2002
- 7- 19th Session of the World Supreme Council for Mosques 2003

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The following two statements were issued during this 19th Session:

1- Makkah Al-Mukarramah Appeal against pernicious thought

2- Statement on the prohibition of acts of terrorism by the Sharia (Isl. Law)

Resolutions and recommendations issued by these conferences were widely publicized Dr. Al-Turki said; and went on to emphasize the fact that the League is internationally renowned for its contribution in the fight against terrorism. Its efforts have been highly praised by the Chairman of the European Union's High Commission Mr. Romano Prodi during an Islamic symposium held at the Islamic Center in Brussels in Belgium, as did the Italian Premier Mr. Silvio Berlusconi during a visit to the Islamic Cultural Center in Rome, Italy. Dr. Al-Turki then referred to the League's definition of terrorism, which was issued by the 16th Session of the League's Islamic Fiqh Council in 2001, and was welcomed by the delegates to the "Earth Summit" conference in Johannesburg, South Africa in 2002. Later on the definition was adopted by several Islamic organizations as a framework of combating terrorism. Within the same context, the League called on those American intellectuals who published a statement entitled "What we are fighting for" to cooperate with Muslims for the common good, and appealed to influential Western countries to recognize the fact that Islam is totally and categorically against terrorism, and to strive to promote dialogue and cooperation among mankind.

Furthermore, Dr. Al-Turki expressed the bewilderment and the amazement of the Muslims at the virulent publicity campaign that links between Islam and terrorism, and appealed to all the cultural, religious and political institutions in the world to separate between Islam and the renegade terrorist gangs, and to cooperate with the League and other Islamic organizations in stating the truth and elucidating Islam's attitude with regard to bloodshed: God says: {On that account: We ordained for the children of Israel that if any one slew a person-

unless it be for murder or for spreading mischief in the land- it would be as if he slew the whole people: And if any one saved a life, it would be as if he saved the life of the whole people.} 5/32. Dr. Al-Turki then called upon international organizations to join the League in implementing a joint program designed to promote the values and principles of tolerance and to combat terrorism.

In conclusion, Dr. Al-Turki reaffirmed his appeal to peace loving nations, peoples and organizations to carefully study the Sharia's endeavor to protect mankind against all kinds of evil, and expressed the League's readiness to contribute to any effort that aims at realizing security and peace for mankind. God says:

{Help ye one another in righteousness and piety, but help ye not one another in sin and rancour}

Exhibit 2

Dr. Abdullah Bin Abdul Mohsen Al-Turki's
Consolidated Motion to Dismiss

03 MDL No. 1570 (RCC)

EXHIBIT 1

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

THOMAS BURNETT, *et al.*,

Plaintiffs,

v.

AL BARAKA INVESTMENT AND
DEVELOPMENT CORPORATION, *et al.*

Defendants.

Civil Action No. 1:02CV01616
Judge Robertson

DECLARATION OF ABDULAZIZ H. AL FAHAD

I, Abdulaziz H. Al Fahad, declare as follows:

1. This declaration is given at the request of United States counsel for His Royal Highness Prince Sultan bin Abdulaziz Al-Saud, to describe certain matters of fact and law in connection with Prince Sultan's motion to dismiss the complaint in this action. I have been retained by Prince Sultan and am being compensated for my work in this matter.

2. I am a lawyer admitted to practice in the Kingdom of Saudi Arabia. I was born and raised in Saudi Arabia, and received an undergraduate, graduate and legal education in the United States. I received a B.A. degree in economics from Michigan State University in 1979, an M.A. in International Relations from the Johns Hopkins University School of Advanced International Studies in 1980, and a J.D. degree from Yale Law School in 1984. During 1984-1985, I was a Post-Doctoral Fellow at the Harvard's Center for Middle Eastern Studies and a Research Fellow at Harvard Law School.

3. Currently I am the principal of the Law Office of Abdulaziz H. Fahad in Riyadh, in affiliation with the United States law firm Akin, Gump, Strauss Hauer & Feld. I am a member of the Academic Committee, Legal Experts Commission, Council of Ministers (which is charged with translating official government documents); a member of the Advisory Commission of the Supreme Economic Council; and a member of the International Trade Committee of the Council of Saudi Chambers of Commerce and Industry. I have occasionally taught and written on Middle Eastern law, politics and economics. I am also a licensed Arabic to English translator, holding Licence No. 138 issued by the Ministry of Commerce of the Kingdom of Saudi Arabia.

4. I have been asked to describe the official positions of His Royal Highness Prince Sultan bin Abdulaziz Al-Saud. Prince Sultan is the third highest ranking official of the Kingdom of Saudi Arabia. He is one of the sons of the late King Abdulaziz Al-Saud, who founded the present Kingdom. Prince Sultan served as Governor of Riyadh, as Minister of Agriculture, and as Minister of Communication before being named by the late King Faisal bin Abdulaziz Al-Saud in 1962 as Minister of Defense and Aviation and Inspector General of the armed forces. By virtue of his position as Minister of Defense and Aviation, Prince Sultan is also the ex officio Chairman of the Board of Saudi Airlines, which is owned and operated by the government of Saudi Arabia. In 1982, Prince Sultan was named by His Majesty King Fahd bin Abdulaziz Al-Saud, Custodian of the Two Holy Mosques, as Second Deputy President of the Council of Ministers, the governing body of Saudi Arabia. King Fahd is President of the Council of Ministers. His Royal Highness Crown Prince Abdullah bin Abdulaziz Al-Saud is Deputy President of the Council of Ministers.

5. In the performance of his official duties, Prince Sultan has repeatedly met with Presidents of the United States to discuss matters of state, beginning in 1972 when he first met with President Nixon during the crisis then occurring in the Middle East. Most recently he met twice with President Clinton to discuss, among other things, the conflict between Israel and the Palestinians. Prince Sultan has also met repeatedly over the years with American Secretaries of Defense, including most recently visits by Secretary Donald Rumsfeld to Riyadh in October 2001 (prior to the invasion of Afghanistan).

6. Prince Sultan has received many expressions of gratitude and respect by high-ranking American officials, indicating the importance of his position to American foreign policy. For example, in September 1999 John M. Shalikashvili, Chairman of the Joint Chiefs of Staff, wrote to thank Prince Sultan for hosting his recent visit to the region, and observed "Being able to meet and discuss issues of vital interest on such short notice is a reflection of how deep our relationship has become." In November 1999, FBI Director Louis J. Freeh wrote to thank Prince Sultan for "the opportunity to meet with you and discuss this important matter," and added "We appreciate your assistance in the past and look forward to enhancing our working relationship." Secretary of Defense William Cohen wrote in December 2000 following a trip to Riyadh, thanking Prince Sultan for "the opportunity to work closer and resolve issues of mutual benefit to both our countries," and for "the exchange of views we had during the meeting, particularly on the current crisis between the Palestinians and Israel." As a final example, former American Ambassador Wyche Fowler Jr., on his departure from Saudi Arabia in 2001, wrote Prince Sultan to thank him for his "close cooperation," including "your close relationships with successive U.S. Secretaries of Defense," and stated: "Your support for the U.S. military forces in the region has been farsighted and generous, and your wisdom has guided our vision of future cooperation."

7. Among the official positions of Prince Sultan is his capacity as Chairman of the Supreme Council for Islamic Affairs, a position he has held from 1994 to the present. I have been asked to describe the status and function of that Council.

8. The Supreme Council for Islamic Affairs is an arm of the government of Saudi Arabia, which carries out part of the foreign policy of the Kingdom as determined by the Council of Ministers. Saudi Arabia is home to the most holy sites of Islam, and a core policy and

function of the Kingdom since its founding early in the twentieth century has been to foster and preserve Islamic faith and Islamic law within the Kingdom and abroad. The Supreme Council for Islamic Affairs was established by His Majesty King Fahd in High Order No. 296/8, dated 14-4-1415 (corresponding to 20-9-1994). The Supreme Council is a successor to the Supreme Commission for Islamic Call appointed by the late King Faisal in High Order 15437 on 1-8-1392 (9-9-1972), which was entrusted with the task of overseeing Islamic affairs inside and outside the Kingdom, and which was also chaired by Prince Sultan. The Supreme Council has the responsibility for Saudi Arabia's Islamic policy abroad, while another body created by King Fahd, the Supreme Call Council, chaired by the Minister of Islamic Affairs, Endowments, Call and Guidance, is responsible for domestic Islamic affairs.

9. As stated in High Order No. 296/8, the functions of the Supreme Council for Islamic Affairs are as follows:

1. planning and oversight of Saudi Islamic activities abroad in accordance with ways of the people of sunna and jama'a;
2. care for Muslim minorities and attention to their conditions;
3. introduction of Islam;
4. promoting of contacts between the Kingdom and Muslims abroad;
5. promoting the spreading of Islamic culture and the Arabic language abroad.

10. The members of the Supreme Council, also established by High Order 296/8, are the Second Deputy President of the Council of Ministers (Prince Sultan), as Chairman; the Minister of Foreign Affairs; the Minister of Justice; the Minister of Islamic Affairs, Endowments, Call and Guidance; the Minister of Finance and National Economy; the Minister of Education; the Head of General Intelligence (added a year later); and the Secretary General of the Muslim World League.

11. The Supreme Council of Islamic Affairs makes discretionary recommendations which are submitted to the President of the Council of Ministers (His Majesty King Fahd) and, if approved, become acts or policies of the government. Recommendations may include financial support by the government of particular Islamic organizations, but the Supreme Council does not have the function of policing the activities of such organizations abroad, nor as a practical matter could it do so. To the extent that the government oversees activities of Islamic organizations such as the Muslim World League and World Assembly of Muslim Youth, that oversight is exercised through the government officials who head those organizations.

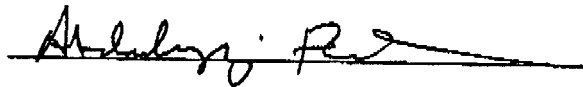
12. I have also been requested to describe the status and function of the Special Committee of the Council of Ministers. The Special Committee was originally established by High Order in 1962, during the civil war in neighboring Yemen, to serve as a foreign policy advisory resource to the King. Today, the Special Committee continues as an organ of the Council of Ministers attached to the Second Deputy President, Prince Sultan. The Council of Ministers establishes the budget of the Special Committee, which is funded entirely from

government funds. As Second Deputy President of the Council of Ministers, Prince Sultan exercises discretionary powers over disbursements by the Special Committee.

13. Disbursements of funds by the Special Committee have included grants to Islamic charitable organizations, which are directed by Prince Sultan in furtherance of the national policy of Saudi Arabia as determined by the Council of Ministers. Although grants by the Special Committee, when announced publicly, are occasionally attributed to Prince Sultan, those grants are paid from government bank accounts with government funds.

14. I have reviewed the originals and the English translations of the declarations to be filed in this case on behalf of representatives of the Muslim World League, the International Islamic Relief Organization, Al Haramain, and the World Assembly of Muslim Youth, and the business records attached thereto. Based on the qualifications set forth in Paragraph 3, I attest that the English translations are true and accurate translations of the original Arabic documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Abdulaziz H. Al Fahad

Executed on April 6, 2003, in Riyadh, Saudi Arabia

KINGDOM OF SAUDI ARABIA
PROVINCE OF RIYADH
CITY OF RIYADH
CONSUL OF THE UNITED STATES

I certify that on this 6TH day of APRIL, 2003
ABDULAZIZ H. AL FAHAD
appeared before me and, being duly sworn, made the
statements set forth in this instrument.



CHARLES L. GLATZ JR.
CONSUL OF THE
United States Of America